

From: George Toft
To: Microsoft ATR
Date: 1/27/02 12:00pm
Subject: Microsoft Settlement - Proposed Final Judgement

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

So as to not waste your time by reproducing the analysis here (see above web site), there are a substantial number of problems with the Proposed Final Judgement (PFJ) that render it ineffective, making the entire DOJ vs. Microsoft case a waste of taxpayer money. Regardless of the errors discovered in the original trial, the Findings of Fact remain undisputed, and Microsoft must be punished, just like AT&T and IBM were for similar transgressions of law.

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

TYthank you for considering my opinion.

Sincerely,

George Toft
3455 West Twain Court
Anthem AZ 85086